

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION } NO. CV-10-3033-LRS
Plaintiff, } **ORDER GRANTING MOTION FOR A PROTECTIVE ORDER**
ELODIA SANCHEZ, et al., }
Plaintiffs-Intervenors, }
v. }
EVANS FRUIT CO., INC. }
Defendant, }
and }
JUAN MARIN and ANGELITA MARIN, a marital community, }
Defendants-Intervenors. }

BEFORE THE COURT is the Defendant Evans Fruit's Motion For A Protective Order (ECF No. 623). This motion is heard without oral argument.

Even assuming the EEOC’s request for inspection remains timely, the court fails to see the relevance of a “day in the life” video to the critical issues in this case, that being whether sexual harassment occurred and whether Evans Fruit is responsible for it, not where it may have occurred on the Sunnyside Ranch. A video is not reasonably calculated to lead to discoverable information that is

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1 relevant to the claim or defense of any party. Fed. R. Civ. P. 26(b)(1). A map or
2 diagram of the ranch will suffice to inform the jury of the layout of the ranch to the
3 extent that is necessary or relevant to the claims before this court.

4 Consistent, however, with its previous agreement to allow “general
5 observation and inspection of Sunnyside ranch,” Defendant shall allow the
6 inspection it now offers in its moving papers which includes the following
7 limitations: 1) EEOC may take a still photo of the outside of the shop at the
8 Sunnyside Ranch where the sexual harassment notice is posted, where hiring is
9 conducted, and where employee paychecks are distributed; (2) the inspection will
10 be limited to a mutually agreed Sunday at noon; 3) EEOC is prohibited from
11 taking photographs of or speaking to Evans Fruit employees; and (4) the
12 inspection of the shop shall be limited to one representative from the EEOC and
13 one representative from the NW Justice Project who will be escorted by a
14 representative from Evans Fruit.

15 Defendant Evans Fruit’s Motion For A Protective Order (ECF No. 623) is
16 **GRANTED** to the extent set forth herein.

17 **IT IS SO ORDERED.** The District Court Executive is directed to enter
18 this order and to provide copies to counsel of record.

19 **DATED** this 7th day of May, 2012.

20 *s/Lonny R. Suko*
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22 LONNY R. SUKO
United States District Court Judge
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